

SUMMARY STATEMENT

Rangen, Inc. v. Idaho Dep't of Water Res., Docket No. 43370

The Director of the Idaho Department of Water Resources entered an order conditionally approving a mitigation plan proposed by Idaho Ground Water Appropriator's, Inc. ("IGWA"). Under the mitigation plan, IGWA sought to provide Rangen, Inc. with replacement water in order for certain junior-priority ground water users in the Eastern Snake Plain Aquifer to avoid curtailment. Rangen petitioned for review. On review, the district court affirmed the Director's order in significant part. On appeal, the Supreme Court upheld the district court's decision. The Supreme Court held that the Director did not abuse his discretion by deferring consideration of potential injury to other water users to another proceeding and that the mitigation plan provided sufficient contingency provisions. Additionally, the Court rejected Rangen's argument that the Director's order constituted an unlawful taking of Rangen's property in violation of the Idaho and U.S. Constitutions.